

DECLARATION OF EMERGENCY

Department of Social Services Office of Family Support

Paternity Establishment (LAC 67:III.Chapter 27)

The Department of Social Services, Office of Family Support, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953(B) to adopt the following rule in Support Enforcement Services (SES), the child support enforcement program, effective January 29, 1996. It is necessary to extend emergency rulemaking since the emergency rule of October 1, 1995 is effective for a maximum of 120 days and will expire before the final rule takes effect.

In order to improve program effectiveness and in accordance with 45 CFR Parts 301-305, R.S. 40:46.1 requires that all hospitals in the state which provide birthing services shall have a program for the voluntary acknowledgment of paternity. Acknowledgments provided to the state registrar shall be referred to SES. This rule establishes the role of SES in this process.

Pursuant to 45 CFR 303.5 an emergency rule is required to implement Support Enforcement's participation and function as relates to paternity acknowledgment since the entire program is federally mandated to be operational by the first calendar quarter following the close of the latest legislative session and is subject to audit and penalty pursuant to 45 CFR 305.

Subpart 4, Section 2705 is being renumbered to accommodate the incorporation of this rule.

Title 67

SOCIAL SERVICES

Part III. Office of Family Support

Subpart 4. Support Enforcement Services

Chapter 27. General Program Administration

Subchapter A. Establishment of Paternity

§2703. Hospital-based Paternity Acknowledgment Program

The agency will provide all birthing hospitals in the state with written materials concerning paternity establishment, written descriptions of the rights and responsibilities of acknowledging paternity, and the forms necessary to voluntarily acknowledge such, as well as training necessary to operate the program. The agency will receive acknowledgments generated by the program and maintain a statewide database. Information from the database will be used in child support matters subject to the jurisdiction of Support Enforcement Services.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 302.70(a)(5), 303.4(f), 303.5(g) and (h), R.S. 40:46.1.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 21: 1065 (October 1995), LR 22:

Subchapter B. Notice of Collection of Assigned Support

§2705. Annual Notice of Collection

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AUTHORITY NOTE: Promulgated in accordance with 45 CFR 302.54.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 11:1151 (December 1985), amended by the Department of Social Services, Office of Family Support, LR 21:1065 (October 1995), LR 22:

Gloria Bryant-Banks
Secretary